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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,906	09/17/2003	Gilbert Ben-Lulu	3039/1	2630
7590 02/14/2006			EXAMINER	
	FRIEDMAN LTD.	A, PHI DIEU TRAN		
C/o Bill Polkinghorn Discovery Dispatch			ART UNIT	PAPER NUMBER
9003 Florin Way			3637	
Upper Marlbor	ro, MD 20770		DATE MAILED: 02/14/2000	5

Please find below and/or attached an Office communication concerning this application or proceeding.

•		Application No.	Applicant(s)	
Office Action Summary		10/663,906	BEN-LULU, GILBERT	
		Examiner	Art Unit	
		Phi D. A	3637	
Period fo	The MAILING DATE of this communication a	ppears on the cover sheet with	the correspondence address	
A SH WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPCHEVER IS LONGER, FROM THE MAILING Insions of time may be available under the provisions of 37 CFR 10 SIX (6) MONTHS from the mailing date of this communication. Disperiod for reply is specified above, the maximum statutory period are to reply within the set or extended period for reply will, by stature to reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than three months after the mail reply received by the Office later than the mail reply reply received by the Office later than the mail reply reply received by the Office lat	DATE OF THIS COMMUNICA' 1.136(a). In no event, however, may a reply of will apply and will expire SIX (6) MONTHS ute, cause the application to become ABANI	TION.  be timely filed  from the mailing date of this communication.  DONED (35 U.S.C. § 133).	
Status				
2a)	Responsive to communication(s) filed on 17 This action is <b>FINAL</b> . 2b) The Since this application is in condition for allow closed in accordance with the practice under	nis action is non-final.  vance except for formal matters		
Dispositi	ion of Claims			
5)□ 6)⊠ 7)□ 8)□	Claim(s) 1-40 is/are pending in the application  4a) Of the above claim(s) is/are withdred claim(s) is/are allowed.  Claim(s) 1-40 is/are rejected.  Claim(s) is/are objected to.  Claim(s) are subject to restriction and significant papers	rawn from consideration.		
	•			
10)□	The specification is objected to by the Examir The drawing(s) filed on is/are: a) acceptance and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the I	ccepted or b) objected to by se drawing(s) be held in abeyance. section is required if the drawing(s) is	See 37 CFR 1.85(a). is objected to. See 37 CFR 1.121(d).	
Priority ι	under 35 U.S.C. § 119			
a)	Acknowledgment is made of a claim for foreign All b) Some * c) None of:  1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bure See the attached detailed Office action for a list	nts have been received. nts have been received in Appl iority documents have been red au (PCT Rule 17.2(a)).	ication No ceived in this National Stage	
	te of References Cited (PTO-892)	4) 🔲 Interview Sumi		
3) 🔲 Infor	ce of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/06 or No(s)/Mail Date	Paper No(s)/M	ail Date´. mal Patent Application (PTO-152)	

## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-11, 17-27 drawn to a method for fabrication of a concrete floor, and a system for the fabrication of a concrete floor, classified in class 52, subclass 742.13.
  - II. Claims 12-16, 28-32 drawn to a method for fabrication of a wall, and a system for the fabrication of a wall classified in class 52, subclass 745.09.
  - III. Claims 33-40, drawn to a method for fabrication of a building foundation, and a building foundation classified in class 52, subclass 745.11.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as walking surface, invention II has separate utility as vertical barrier, and invention III has separate utility as a supporting underlying load bearing structure. See MPEP § 806.05(d).
- 3. Because these inventions are distinct for the reasons given above and the search required for Group I or II is not required for Group III, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Mark Friedman on 2/7/06 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

## Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 571-272-6864. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phi Dieu Tran A

2/7/06